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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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**SEALED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

REDACTED FOR  
PUBLIC DISCLOSURE

United States of America,  
  
Plaintiff,

vs.

Sally Joyce Nyemba,  
  
Defendant.

No. **CR-21-1094-PHX-SMB (MTM)**

**INDICTMENT**

VIO: 21 U.S.C. §§ 846, 841(a)(1), and  
841(b)(1)(A)(viii)  
(Attempted Possession with Intent to  
Distribute Methamphetamine)  
Count 1

21 U.S.C. §§ 846, 841(a)(1), and  
841(b)(1)(A)(vi)  
(Attempted Possession with Intent to  
Distribute Fentanyl)  
Count 2

18 U.S.C. §§ 981 and 982,  
21 U.S.C. §§ 853 and 881, and  
28 U.S.C. § 2461(c)  
(Forfeiture Allegation)

**THE GRAND JURY CHARGES:**

**COUNT 1**

On or about May 12, 2020 in the District of Arizona, the defendant, SALLY JOYCE  
NYEMBA, did knowingly and intentionally attempt to possess with the intent to distribute

1 500 grams or more of a mixture and substance containing a detectable amount of  
2 methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled  
3 substance.

4 In violation of Title 21, United States Code, Sections 846, 841(a)(1), and  
5 841(b)(1)(A)(viii).

6 **COUNT 2**

7 On or about May 12, 2020 in the District of Arizona, the defendant, SALLY JOYCE  
8 NYEMBA, did knowingly and intentionally attempt to possess with the intent to distribute  
9 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-  
10 N-[1-(2-phenylethyl)-4-piperidiny] propanamide (fentanyl), a Schedule II controlled  
11 substance.

12 In violation of Title 21, United States Code, Sections 846, 841(a)(1), and  
13 841(b)(1)(A)(vi).

14 **FORFEITURE ALLEGATION**

15 The Grand Jury realleges and incorporates the allegation in Counts 1 and 2 of this  
16 Indictment, which is incorporated by reference as though fully set forth herein.

17 Pursuant to Title 18, United States Code, Section 981 and 982, Title 21, United  
18 States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), and  
19 upon conviction of one or more of the offenses alleged in Counts 1 and 2 of this Indictment,  
20 the defendant(s) shall forfeit to the United States of America all right, title, and interest in  
21 (a) any property constituting, or derived from, any proceeds the persons obtained, directly  
22 or indirectly, as the result of the offense, and (b) any property used, or intended to be used,  
23 in any manner or part, to commit, or to facilitate the commission of such offense.

24 If any forfeitable property, as a result of any act or omission of the defendant(s):

- 25 (1) cannot be located upon the exercise of due diligence,  
26 (2) has been transferred or sold to, or deposited with, a third party,  
27 (3) has been placed beyond the jurisdiction of the court,  
28 (4) has been substantially diminished in value, or

1 (5) has been commingled with other property which cannot be divided without  
2 difficulty,  
3 it is the intent of the United States to seek forfeiture of any other property of said  
4 defendant(s) up to the value of the above-described forfeitable property, pursuant to Title  
5 21, United States Code, Section 853(p).

6 All in accordance with Title 18, United States Code, Section 981 and 982, Title 21,  
7 United States Code, Sections 853 and 881, Title 28, United States Code, Section 2461(c),  
8 and Rule 32.2, Federal Rules of Criminal Procedure.

9  
10 A TRUE BILL

11  
12 /s/  
13 FOREPERSON OF THE GRAND JURY  
Date: December 28, 2021

14 GARY M. RESTAINO  
15 United States Attorney  
District of Arizona

16  
17 /s/  
18 THOMAS M. FORSYTH III  
STUART ZANDER  
19 Assistant U.S. Attorneys